

Statutes
1878

THE
GENERAL STATUTES
OF THE
STATE OF MINNESOTA,

As Amended by Subsequent Legislation.

PREPARED BY
GEORGE B. YOUNG.

EDITED AND PUBLISHED UNDER THE AUTHORITY OF CHAPTER 67 OF THE LAWS
OF 1878, AND CHAPTER 67 OF THE LAWS OF 1879.

FOURTH EDITION.

WITH SUPPLEMENTS,
CONTAINING ALL THE GENERAL LAWS IN FORCE UP TO THE END OF
THE LEGISLATIVE SESSION OF 1883.

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CHAPTER LXXXV.

ACTIONS BY PERSONS HOLDING CLAIMS ON UNITED STATES LANDS.

SECTION.

1. Settler may maintain action for possession or for injuries thereto.
2. Plaintiff's claim defined.

SECTION.

3. Claim shall be marked—action must be by actual settler.
4. Claim considered abandoned, when.

§ 1. Settler may maintain action for possession, or for injuries thereto. Any person settled upon any of the public lands belonging to the United States, on which settlement is not expressly prohibited by congress or some department of the general government, may maintain an action for injuries done to the possession thereof, or to recover the possession thereof.

§ 2. Plaintiff's claim defined. On the trial of any such cause, the possession or possessory right of the plaintiff shall be considered as extending to the boundaries embraced by the claim of such plaintiff, so as to enable him to have and maintain either of the aforesaid actions, without being compelled to prove a natural inclosure: *provided*, that such claim shall not exceed in any case one hundred and sixty acres; and the same may be located in two different parcels, to suit the convenience of the holder.

§ 3. Claim shall be marked—action must be by actual settler. Every such claim, to entitle the holder to maintain either of the aforesaid actions, shall be marked out so that the boundaries thereof may be easily traced, and the extent of such claim easily known; and no person shall be entitled to maintain either of said actions for possession of, or any injury done to, any claim, unless he is an actual settler, or causes the land to be constantly occupied, and has improvements, made thereon, to the amount of fifty dollars.

§ 4. Abandonment of claim. A neglect to occupy or cultivate such claim, for the period of six months, shall be considered such an abandonment as to preclude the claimant from maintaining either of the aforesaid actions.

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SECTION.

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